

chapter 5

Municipal Solid Waste (MSW) Facilities



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Program Assistance

Air - For information on air permit or compliance requirements for MSW landfill or incinerator operations, call your Region Office Air Program Administrator (see Chapter 1).

Automotive Wastes - For assistance with waste tires, batteries, used oil and used oil filters, call Automotive Programs at 512/239-6001.

Community Assistance - For technical assistance with MSW issues related to rural and small communities, call Rural/Small Communities Liaisons at 512/239-6688 or 512/239-4756.

Composting - For technical assistance on composting activities ranging from backyard composting to large, centralized compost operations, call the Compost Team at 512/239-6750.

Enforcement - For questions regarding compliance and enforcement issues for MSW facilities, call Compliance and Enforcement at 512/239-6660.

Financial Assurance - For assistance with financial assurance questions or requirements, call Financial Assurance at 512/239-6262.

Fees - For questions and information related to fee reporting, and billing, call Administration and Logistical Support at 512/239-6700.

National Pollutant Discharge Elimination System (NPDES) Requirements - For information on NPDES permit requirements, contact EPA Region VI at 214/665-7176.

Permits - For MSW landfill and other types of solid waste permits and registrations, call Permits at 512/239-6781.

Regional Assistance and Grants - For information on regional and local solid waste plans, general information, and technical assistance related to solid waste management, contact your council of government (COG) (refer to Appendix 3).

Solid Waste Plans and Grants - For information on state, regional, and local solid waste plans, annual report data for permitted MSW facilities, and Solid Waste Grants to COGs, call Solid Waste Planning at 512/239-6809.

Special Wastes - For information on handling medical wastes, PCBs, substances controlled by the Food and Drug Administration or the Drug Enforcement Agency, and other types of wastes, call Waste Evaluation at 512/239-6830, or Permitting at 512/239-6781.

Federal and State Authority

Federal

All laws and regulations pertaining to MSW management at the state level must comply with minimum federal standards established by the U. S. Environmental Protection Agency (EPA). The principal federal statute guiding EPA is the Resource Conservation and Recovery Act (RCRA), which includes stringent requirements for landfill design, construction, operation, and closure.

State

The Texas Solid Waste Disposal Act (SWDA) establishes TNRCC as the primary state agency for solid waste management. Requirements for the management of MSW in Texas are codified in the TNRCC Municipal Solid Waste Regulations (MSWR).

Program Requirements

A TNRCC permit or registration is required for most activities that involve storage, processing, removal, or disposal of any municipal solid waste. A general description of the permitting process is provided in Chapter 3.

TNRCC strongly encourages anyone planning an MSW-related activity that may require a permit or registration to discuss it with TNRCC staff well in advance of applying for a permit or registration. This will prevent unnecessary difficulties with processing applications or amendments as the project develops and allow TNRCC staff to provide technical assistance as needed. Contact the Local Government Assistance Office (800/687-9222 or 512/239-5300) for help with any proposed MSW facility.

Most EPA Subtitle D requirements are to be fully implemented by October 9, 1995. Landfills operating with an arid exemption must meet all

Subtitle D requirements, with the exception of the liner provision. This change reduces the types of landfills authorized to operate to two, Type I and Type IV. Landfills previously classified as Type II or Type III will have to upgrade to meet Type I standards. EPA is in the process of developing rules for alternative groundwater monitoring for arid exempt landfills.

MSW Facility Definitions

Type I Landfills - All Type I landfills can accept Class 2 and 3 industrial waste, although some Class 2 waste may be considered special waste and require prior written authorization from TNRCC. Type I landfills may also receive authorization to accept non-hazardous Class 1 industrial waste and other special waste under certain conditions.

Type IV Landfills - All Type IV landfills are allowed to accept construction and demolition waste, rubbish and brush.

Type V - Waste processing facilities that transfer, incinerate, shred, grind, bale, compost, salvage, separate, de-water, reclaim, or provide other processing of municipal solid waste, including medical waste.

Type VI - Experimental facilities involving new and unproven methods of managing or utilizing municipal solid waste, including resource and energy recovery projects.

Type VIII - Facilities for the management of used or scrap tires.

Type IX - Closed facilities or an inactive portion of a disposal facility used for extracting materials for energy and material recovery, or for gas recovery.

Permits, Registrations, and Notifications

Landfill Permits

An MSW permit is required to operate a Type I, IV, or arid exempt MSW landfill in Texas. Both Federal and State statutes apply to the location, design and operation of these landfills. Major

considerations for landfill location, design and operation include:

- ▼ Possible location restrictions with respect to airports, wetlands, seismic impact areas, floodplains, and unstable areas;
- ▼ Design requirements for protecting groundwater;
- ▼ Requirements for monitoring groundwater and landfill gas around the perimeter of disposed waste, and requirements for correcting any groundwater contamination and gas migration when detected;
- ▼ Operating requirements to minimize disease and the production of contaminated water; and

- ▼ Final cover, closure, post-closure maintenance and financial assurance for Type I landfills for a period of at least 30 years.

Composting Permits

All MSW compost facilities require a Type V MSW permit, with the exception of facilities that compost only grass clippings, leaves, and/or wood chips. Requirements for a permit application for a Type V or VI MSW facility can be found in 30 TAC Chapter 330.59. Permit amendment information is in 30 TAC Chapter 305.62; and permit modifications in 30 TAC Chapter 305.70.

Major considerations for facility location, design and operations include:

- ▼ Potential location restrictions with respect to wetlands and floodplains;
- ▼ Design requirements for the protection of groundwater and for groundwater monitoring systems; and
- ▼ Operating requirements to minimize disease and negative visual impacts, limit the production of contaminated water, control contaminated water, clean the facility, and control odor generation.

The Commission is in the process of finalizing comprehensive compost regulations. The new regulations will significantly increase the types of materials that will be exempt from permitting requirements and add a notification and a registration process.

Incinerator Permits

All MSW incinerators require a permit, with the exception of incinerators used by licensed hospitals for disposal of medical waste generated on-site and incinerators used for disposal of dead animals. However, all incinerator

projects should be evaluated for air quality impacts. For information on air requirements, contact the Air Program Manager at your TNRCC Region Office (refer to Chapter 1).

Type I MSW Landfill Permit Application

The application is divided into Parts I-V. Parts I-IV are required before the application is declared “administratively complete” (30 TAC Chapter 281). Part V is submitted upon completion of construction of the facility.

Part I (30 TAC Chapters 305.45 and 330.52) of the application consists of general information on current land use, land owners, maps of the site, current and proposed activities, etc.

Part II (30 TAC Chapter 330.53) of the application describes existing zoning conditions, character of the site (transit patterns), and geology of the surrounding area.

Part III (30 TAC Chapters 330.54-330.56) of the application contains most of the necessary engineering information, detailed reports and data on the solid waste proposed for disposal, schematic designs of the facility, and the site development plans.

Part IV (30 TAC Chapter 330.57) of the application contains the site operating plan that discusses how the applicant plans to conduct daily operations at the site.

After the application has been declared administratively complete, a required public meeting may be conducted in accordance with Texas Health and Safety Code (THSC) Chapter 361.0791(b).

Once the application is determined to be technically complete, a Notice of Opportunity is issued to inform affected parties of the pending application. Affected parties may request a public hearing.

Part V (30 TAC Chapter 330.58) of the application is reserved for construction plans and specifications after the permit has been issued.

Other considerations for incinerator operation include:

- ▼ Proper disposal of ash;
- ▼ Compatibility of surrounding land use;
- ▼ Cost-effectiveness when compared to landfilling; and
- ▼ Air pollution nuisance or visible emissions concerns.

Additional Permit Requirements

Notification

The first notification on a permit application is handled by TNRCC. A Notice of Receipt (NOR) is mailed to all property owners adjacent to the proposed facility by the Chief Clerk's Office once staff have informed the Chief Clerk that the application is administratively complete. The Chief Clerk will also send the NOR to the applicant, who must publish it in the local papers. The applicant must send an affidavit and an original newspaper clipping of the notice to the Chief Clerk's Office.

After staff complete the technical review of a permit application and a draft permit has been filed with the Chief Clerk's Office, the Clerk will send a Notice of Application (NOA) to the adjoining land owners and the applicant. The applicant must publish this NOA on two separate occasions in the local papers at least 30 days prior to any further consideration by TNRCC on the draft permit. Newspaper affidavits certifying publication and original newspaper clippings of the actual NOA must be sent to the Chief Clerk's Office.

NPDES

Landfill facilities serving populations of 100,000 or more are required to obtain an NPDES permit. For information on specific requirements or permit assistance, contact EPA Region VI at 214/665-7176.

Financial Assurance

Currently there are two sections in TNRCC rules that pertain to financial assurance requirements for MSW landfills: 30 TAC Chapters 330.9 and 330.285. Currently local governments may demonstrate financial assurance by using any of the forms listed in either of these

sections or by passing a local resolution stating that they are capable of complying with all financial requirements.

Effective April 9, 1997, a local resolution will not satisfy the financial assurance requirement. At that time, TNRCC will implement federal Subtitle D requirements (defined in 30 TAC, Chapters 330.280 - .286, Subchapter K) and will require additional financial assurance information for closure, post-closure care and corrective action. Information required to meet financial assurance will include bond ratings and an auditor's report, and only the forms listed in 30 TAC Chapter 330.285 will be acceptable. For assistance with financial assurance requirements, call 512/239-6262.

Air Regulations

When planning any type of MSW facility, it is necessary to be mindful of air quality considerations. No action can legally result in a condition of nuisance smoke, odor, dust or aerosol, cause a traffic hazard, or contribute to a condition of air pollution. Nuisance and traffic conditions are defined in 30 TAC Chapters 101.4 and 101.5.

There may also be specific air regulations that affect the authorization for or operation of an MSW facility. For more information on air requirements, contact the Air Program Manager at your TNRCC Region Office.

Registrations

The following activities must be registered with TNRCC and require approval by the Executive Director:

Waste separation/recycling or composting facility at an existing permitted MSW site if the permit holder is the owner of the site (30 TAC Chapter 330.65). (However, the existing permit will have to be modified.)

Storage and/or processing sites designated exclusively for used and scrap tires (30 TAC Chapters 330.889 and 330.53).

Transfer stations meeting any of these conditions:

- ▼ Serving a municipality with a population of less than 50,000;
- ▼ Serving a county with a population of less than 85,000;
- ▼ Transferring 125 tons or less per day; or
- ▼ Operating a material recovery facility that

recycles more than 10% of the incoming waste stream.

The registration process for a transfer station includes the submission of an application form and supporting documentation, a required a public meeting, correction of any technical deficiencies and a pre-opening inspection. A registered transfer station is subject to periodic inspections to ensure compliance with the operating standards as found in Subchapter G of the Municipal Solid Waste Regulations.

Application requirements for a Type V or VI facility may be found in 30 TAC Chapter 330.60. For more information on registration requirements refer to 30 TAC Chapters 330.65 and 330.4(d), or contact MSW Permits at 512/239-6781.

Notifications (Authorizations-by-Rule)

The following activities require a letter of notification to TNRCC:

- ▼ Citizen collection stations;
- ▼ Collection and processing points for non-putrescible, recyclable wastes or yard composting;
- ▼ Collection points for parking lot or street sweepings or wastes collected in sealed plastic bags from periodic, city-wide cleanup campaigns;
- ▼ Disposal of soil, dirt, rock, sand, or other inert solid materials used to fill land to make it suitable for construction of surface improvements; or
- ▼ On-site incinerators used only for medical wastes generated on-site or animal disposal.

All notifications should be sent to TNRCC, MSW Permits MC 124, P. O. Box 13087, Austin, TX 78711-3087.

Reports

Reporting requirements are found in 30 TAC Chapter 330 Subchapter P of the Municipal Solid Waste Rules (MSWR) and generally fall into the following categories:

Quarterly Reports

Quarterly solid waste fee reports are prepared by disposal facilities and process operators. An operator must file a separate report for each facility that has a unique permit, permit application number, or registration number. These reports are used to calculate the compost credit (if applicable) and the amount of fees to be paid by a disposal facility or process operator. For questions about reporting forms, fees, or the compost credit, call Administration and Logistical Support at 512/239-6700.

Annual Reports

Permitted Facilities

Permitted solid waste facilities must complete annual reports that provide information on the year-end status of the facility and total volume(s) processed. Accurate information from all solid waste facilities is critical to solid waste management planning and decision-making at local, regional and state levels. For assistance or questions on these reports, call Solid Waste Planning at 512/239-6809.

Transporters

For information on annual reporting requirements for sludge, tire or medical waste transporters, contact the appropriate number below:

- ▼ Sludge transporters, call Watershed Management at 512/239-4581;
- ▼ Tire transporters, call Automotive Programs at 512/239-6001; and
- ▼ Medical waste transporters, call MSW Permits at 512/239-6781.

Councils Of Government (COGs)

All COGs with adopted regional plans must report annually on their progress towards implementing their plans (THSC Chapter 363). These reports allow regions to compare their efforts and solutions to regional and local problems. All COGs must also provide annual reports to Solid Waste Planning on the use of Solid Waste Grant funds.

State Solid Waste Plan

The Texas Health & Safety Code (THSC) Chapter 361 requires that a State Solid Waste Management Plan be developed for a 20-year

planning horizon and periodically revised. MSW operators may be required to complete occasional reports, which are used by TNRCC to determine waste disposal trends, and revise capacity assessments in order to update the State Plan.

Fees and Credits

Fees

The TNRCC is authorized to assess several fees under THSC Chapters 361.013-014 and 361.027, including: MSW disposal fees, registration fees for tire and medical waste transporters, Type IV landfill stationary compactor fees, and special municipal routes (enclosed containers) fees. With the exception of the MSW disposal fee, TNRCC may raise or lower these fees in accordance with limits established by the Texas Legislature.

Half of the revenue generated from these fees is dedicated to TNRCC MSW permitting and enforcement programs and related support activities. The other 50% is dedicated to local and regional MSW grant-funded projects which are consistent with approved regional and State solid waste plans.

Composting Credit

The TNRCC is authorized to provide a credit to MSW permitted facilities that compost yard wastes. The allowable credit is up to 15 percent of the MSW disposal fee for composting and 20 percent if the operator composts and bans the disposal of yard wastes at the facility. To be eligible for this credit, the operator must:

- ▼ Use the credit to lease or purchase and operate equipment necessary to compost yard waste or to contract for the on-site composting of yard waste;
- ▼ Actually perform the composting operations;
- ▼ Insure the finished material is put to beneficial reuse; and
- ▼ Have an approved compost plan.

To obtain an approved compost plan an MSW operator should submit the following information to the MSW Permits section:

- ▼ A process description that contains the following information:
 - 1) Feedstock identification and anticipated quantity of feedstock;
 - 2) Method of screening and disposal for unauthorized materials; and

- 3) A detailed description of what happens to the material from the time it reaches the tipping floor until it is ready for distribution.

- ▼ A description of the qualifications of the personnel and of the types of equipment and associated expenses necessary to generate the composted material;
- ▼ An end-product marketing and distribution plan which demonstrates beneficial use of the product; and
- ▼ A detailed site plan of the compost facility. (If the facility is co-located at a permitted site the facility permit must be modified in accordance with 30 TAC Chapter 305.70).

Inspections

A generic description of the inspection process is outlined in Chapter 3. For more detailed information on any aspect of the inspection process, contact the TNRCC Field Operations Division (512/239-0400) or your Region Office (refer to Chapter 1).

Types of MSW Facility Inspections

COMPLIANCE EVALUATION:

Routine inspections of permitted landfill and processing facilities to inspect for compliance with MSW rules;

Follow-up inspections of permitted facilities to check on corrective action progress on previously noted violations;

- Sampling;
- Groundwater; and
- Methane gas.

CLOSURE INSPECTIONS:

Verification that a facility has stopped accepting waste;

Verification at the beginning of 5- or 30-year post-closure;

Routine inspections to check on closed facility compliance; and

Final post-closure inspection.

(continued on next page)

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Types of MSW Facility Inspections cont'd

ASBESTOS:

Inspection of facilities that are authorized to accept asbestos-containing materials for compliance with MSW rules; and

Inspections are conducted at permitted facilities on a regularly scheduled basis.

OTHER TYPES OF INSPECTIONS:

Medical waste transporters (30 TAC Chapter 330.1005);

Unauthorized MSW site investigations (30 TAC Chapter 330.4);

Tire storage sites, generators, transporters, and processors (30 TAC Chapter 330 Subchapter R); and

Used oil filter processors, generators and storage facilities/used oil collection centers (330 TAC Chapter 330 Subchapter Z).

INSPECTION SCHEDULES:

Type I	Quarterly
Type IV	Semi-annual
Type V	Annual for transfer stations, semi-annual for other Type V facilities
Type VI	Annual
Type IX	Annual
Medical Transporters	Semi-annual
Closures	Upon closure and every five years thereafter

- ▼ Groundwater sampling plan;
- ▼ Operating records;
- ▼ Cover log; and
- ▼ Financial assurance instruments.

Visual Inspection of Facility

A tour of the facility provides the inspector with a better understanding of its operations. The inspector may thoroughly examine areas where the waste is managed, and note the following:

- ▼ Cover;
- ▼ Leachate excursion;
- ▼ Fire protection;
- ▼ Windblown debris and dust control;
- ▼ Access to the facility and internal control;
- ▼ Unauthorized materials and prohibited wastes;
- ▼ Markers and benchmark;
- ▼ Vector control;
- ▼ Condition of groundwater and methane gas monitoring wells;
- ▼ Erosion control;
- ▼ Ponded water;
- ▼ Liner construction (unless arid exempt); and
- ▼ Other activities/conditions of importance.

The inspector may wish to take photographs to better document any of the preceding conditions.

Copies of MSW Inspector Checklists are provided at the end of this chapter. For more information on inspections contact the TNRCC Field Operations Division or your TNRCC Region Office (refer to Chapter 1).

Review of Facility Records

The MSW inspector may examine any records, documents, plans and reports that are required according to the type of facility that is being inspected pursuant to 30 TAC Chapter 330.113(a).

The inspector will pay particular attention to:

- ▼ Site development plan;
- ▼ Site operating plan;
- ▼ Final closure plan;
- ▼ Post-closure maintenance plan;
- ▼ Landfill gas management plan;

Enforcement

A summary of the general enforcement process is provided in Chapter 3. If air quality violations are involved, the process is mandated by State law and differs slightly. The violation is either resolved within 30 days from receipt of a notice of violation (NOV), or the matter is referred to Central Office for formal enforcement proceedings. You are advised to contact your Region Office immediately for information on handling violations or to request technical assistance.

First NOV

TNRCC region staff will notify the owner/operator of the MSW facility in writing of the violations specifying:

- 1) TNRCC regulation in question;
- 2) How and why the MSW facility is out of compliance with that regulation;
- 3) What action must be taken to get back into compliance;
- 4) Any legitimate citizen complaints; and
- 5) That the MSW facility may be subject to monetary penalties for the violation of the Solid Waste Disposal Act.

The facility has 60 days from receipt of this letter to address the violation(s). A copy of this letter is sent to the Central Office.

Second NOV

If the MSW facility fails to take reasonable steps to come into compliance within 60 days, a second letter will be sent pointing out:

- 1) How and why it has failed to come into compliance;
- 2) What it must do to comply;
- 3) The availability of region staff to provide technical assistance; and
- 4) The possibility of administrative penalties and formal enforcement.

The facility has 30 days from receipt of the second letter to take corrective action.

Referral to Central Office

If an MSW facility continues to operate in non-compliance after the 30-day period, the facility may be referred to the Central Office in Austin for formal enforcement. Once an enforcement matter has been referred, the traditional “facts meeting” is the MSW facility’s final opportunity to solve its violation(s) in a timely manner. If the MSW facility resolves the matter quickly, Enforcement may consider concluding the case without a formal order.

Formal Orders

In certain cases, TNRCC believes that a formal enforcement order is important. Such an order establishes a legal duty to undertake the tasks necessary to bring the facility into compli-

ance, and serves essentially as the contractual agreement between the MSW facility and TNRCC.

Penalties

The need to seek penalties will be addressed on a case-by-case basis. In general, TNRCC prefers that operators invest in activities that enhance environmental protection at an MSW facility rather than on fines. Penalties may be appropriate, however, in cases of repeated violations.

In Addition

Frequently Asked Questions

What are Solid Waste Fee Reports?

All municipal solid waste processing and disposal facilities are required to pay a fee for waste which is disposed or processed for disposal at their facility. Each facility must submit a quarterly solid waste report which documents the total volume and type of waste received. The quarterly report is then audited for accuracy and completeness and entered into the division fees database. A copy of the data is then electronically transferred to TNRCC’s Fiscal Division and a bill is created and forwarded to each facility.

How can I obtain copies of solid waste management plans?

Reference copies of state, regional, and local solid waste management plans are available for public inspection at the TNRCC Library, all TNRCC Region Offices, and all COG offices. Copies of the State Plan (TNRCC Publication #SFR-17) may be purchased through TNRCC Publications (512/239-0028); an Executive Summary of the State Plan is available at no charge. Copies of regional and local plans may be purchased through the pertinent COG offices (refer to Appendix 3).

How can I obtain information on permitted MSW facilities?

Copies of current annual report data summaries are available through the Waste Planning & Assessment Division, Solid Waste

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Planning Section (512/239-6809), at no charge. Future data summaries may be published as TNRCC documents, and will be available through TNRCC Publications (512/239-0028). Requests for customized data reports on facilities should be directed to Solid Waste Planning or Administrative Support (512/239-6695).

How can a local government obtain a solid waste grant?

Each COG has staff available to local governments to assist them with their applications for waste recycling/reductions grants.

Other Assistance

Grants

HB 3072 (74th Legislature), restructured the MSW grants program. The bill amends THSC Chapter 361.013 to require that 50 percent of the revenue collected from fees assessed on disposal of solid waste be allocated to MSW planning regions for use by local governments and regional planning commissions. The TNRCC will establish the formulas for funding allocations to planning regions through units of local governments, and is working with the Texas Association of Counties, the Texas Association of Regional Councils, and the Texas Municipal League to ensure a smooth transition in the grants management program from the agency to the local level. Grants will support regional and local projects consistent with the implementation of the regional and State solid waste plans. For more information contact your COG (refer to Appendix 3) or the Solid Waste Planning Section at 512/239-6809.

The Comptroller's Office also maintains a listing of federal and State funding sources for local governments on its electronic bulletin board, Window on State Government. For information on how to access this bulletin board, refer to Chapter 2, State and Federal Electronic Information Sources.

Local Enforcement Options

The Litter Abatement Act (THSC Chapter 365) provides for criminal penalties related to the illegal dumping of solid waste. Because this is a State law, it can be utilized by both city and county governments. This law gives local

communities the authority to pursue illegal dumping along highways, rights-of-way, public property, private property, inland waters, or the coastal waters of the state. Violations are punishable by a fine not to exceed \$3,000 and/or imprisonment of up to one year. A person violates the Act if he/she disposes or allows or permits the disposal of litter or other solid waste at a place that is not an approved solid waste disposal site.

Significant Laws and Regulations

The following is a brief summary of the federal and State laws and regulations relating to MSW. Please refer to the official rules for specific questions regarding compliance and applicability. The TNRCC publication entitled "Regulatory Resource" (GI-32) contains detailed information about obtaining copies of the Agency's rules. The TNRCC rules are also accessible from the Agency bulletin board. Refer to Chapter 2 for more information on how to order publications or access TNRCC OnLine.

Federal Law

*Resource Conservation Recovery Act
Subtitle D*

Requires EPA to promulgate regulations for facilities that receive hazardous household waste or hazardous waste from small quantity generators and also take into account the practicable capability of such facilities.

Authorizes corrective action as appropriate.

Federal Regulation

40 CFR Part 258

Provides implementation dates for various MSW facilities.

Restricts location with respect to airports, wetlands, seismic impact areas, floodplains, and unstable areas.

Requires design considerations for protective barriers between waste and underlying aquifers.

Requires groundwater monitoring around the perimeter of disposed waste, and specifies actions required when contamination is detected.

Requires operating designs to minimize disease and the production of contaminated water.

Requires specific measures for final cover, closure, and post-closure maintenance of

landfills for a period of at least 30 years.

Requires landfill owners and operators to provide financial assurance during the life of the landfill and throughout the 30-year post-closure period, effective April 1997.

State Laws

Solid Waste Disposal Act (SWDA), Texas
Authorizes TNRCC to:

Promulgate rules and regulations to establish minimum standards of operation for all aspects of the management and control of solid waste.

Inspect and approve sites used or proposed to be used for the disposal of solid waste.

Require and issue permits authorizing and governing the operation of sites used for the disposal of solid waste.

*Comprehensive MSW Management,
Resource Recovery and Conservation Act,
THSC Chapter 363*

Requires the 24 regional planning agencies in the state, also referred to as COGs, to develop 20-year regional solid waste management plans, and routinely report on the progress of plan implementation. The plans identify problems, assess waste alternatives, and provide policy blueprints for long term solutions to regional MSW problems.

*County Solid Waste Disposal Act,
THSC Chapter 364*

Enables counties to develop and implement solid waste management plans and regulations.

Litter Abatement Act, THSC Chapter 365

Provides local governments with enforcement powers to pursue illegal dumping on public and private property and inland and coastal waters.

State Regulations

30 TAC Chapter 281 - Application Processing

Establishes a general policy for TNRCC processing of applications for permits, licenses and other types of approvals in order to achieve the greatest efficiency and effectiveness possible.

30 TAC Chapter 305 - Consolidated Permits

Sets the standards and requirements for applications, permits, permit transfers and modifications, and actions by the Commission to carry out the responsibilities for management of waste disposal activities under the Texas Water Code (TWC) Chapters 26, 27, and 28, and the SWDA.

30 TAC Chapter 330 - Municipal Solid Waste

Subchapters A-L: Permitting and Operating MSW Landfill Facilities,

Subchapter M: Solid Waste Technician Training and Certification Program,

Subchapter O: Establishes requirements for Regional and Local Solid Waste Management Plans,

Subchapter P: Authorizes fees and requires annual reports for all permitted MSW facilities,

Subchapter Q: Memoranda of Agreement and Joint Rules with Other Agencies,

Subchapter R: Management of Whole Used and Scrap Tires,

Subchapter T: Use of Land Over Closed MSW Landfills,

Subchapter Y: Medical Waste Management, and

Subchapter Z: Waste Minimization and Recyclable Materials.

30 TAC Chapter 332 - Compost

Contains all the rules regulating compost facilities.

Other State air and water regulations may also apply to MSW facilities. Contact your Region Office for information on these program requirements.

MSW Inspection Checklists

(SEE ATTACHED FORMS)

Each checklist has a second page (not reproduced for this document) for detailed observations.